

Church Handbook of Instructions

Book 1

Stake Presidencies and Bishoprics

THE CHURCH OF
JESUS CHRIST
OF LATTER-DAY SAINTS

EXHIBIT 3

The stake president or bishop should counsel members privately in his office. When meeting with a woman, he should ask a priesthood holder to be in an adjoining room, foyer, or hall. He should avoid circumstances that might be misunderstood.

The stake president or bishop should avoid making decisions for those he counsels. Instead, he helps them make their own decisions with the Lord's guidance. He also helps them analyze and resolve problems or questions in the context of the doctrines of the gospel and the plan of salvation.

When counseling, the stake president or bishop asks questions to help him understand the member's situation, though he should avoid unnecessary probing. Questions usually should bring out feelings and thoughts rather than *yes* or *no* replies. Members should do most of the talking.

While members talk, the stake president or bishop should listen carefully, giving full and sincere attention. Listening is vital in establishing confidence and trust. People often need someone they trust to listen to them as they work through their challenges and problems.

If a member has transgressed, the stake president or bishop firmly and lovingly helps him or her repent. He teaches that repentance includes having a broken heart and contrite spirit, recognizing and forsaking sin, seeking forgiveness, making restitution, and demonstrating a renewed commitment to keep the commandments. If necessary, he imposes informal Church discipline or initiates formal discipline. He should be familiar with the circumstances that may necessitate Church discipline and the procedures for initiating it.

When counseling members, the stake president and bishop help them take preventive action to resist temptations. For example, members who are courting, are having difficulty in their marriages, are separated or divorced, and are struggling with minor moral problems may be protected and strengthened by counseling designed to help them guard against transgression. Presiding officers need not wait for members to seek such help, but may call them in for counseling.

If a member needs professional counseling or therapy, the stake president or bishop should select or recommend a professional who will work in harmony with gospel teachings and principles. Leaders may work through LDS Social Services where it is available.

No priesthood officer is to counsel a person whom to marry. Nor should he counsel a person to divorce his or her spouse. Those decisions must originate and remain with the individual.

When a marriage ends in divorce, or if a husband and wife separate, they should always receive counseling from Church leaders. One or both may also need Church discipline if they have committed serious transgressions in connection with the divorce or separation.

The stake president or bishop may give a priesthood blessing if the member who is being counseled sincerely wants one.

Keeping Confidences

During and after their term of service in a calling, leaders must keep confidences about matters discussed when interviewing and counseling. A breach of confidence can damage trust, testimonies, and faith. A leader must not discuss confidential matters with others, including his counselors and wife, unless he receives consent from the person he is interviewing or counseling. If the bishop or a counselor in the stake presidency encounters matters that need to be discussed with the stake president, he should explain this to the member and refer the member to the stake president without delay.

Responding to Abuse

While interviewing or counseling a person, a priesthood leader may become aware of incidents of abuse of a child, spouse, or other person. Abuse cannot be tolerated in any form. Guidelines for responding to abuse are provided on pages 157–58.

Restitution

As part of the restitution required for repentance, transgressors should do all they can to restore what their transgression has taken from others. They also should seek forgiveness from the people they have wronged. The repentance of a married person who is involved in a sexual transgression usually should include confessing to and seeking forgiveness from his spouse. A young unmarried person who commits a sexual transgression should be encouraged to inform his parents.

Repentance may include disclosure to government authorities. If confidential information indicates that a member has violated applicable law, the bishop or stake president should urge him to report the matter to appropriate government authorities. To obtain guidance on local laws that govern reporting abuse, see the instructions on page 158.

Disclosure of the identity of others who participated in a transgression should be *encouraged* as part of the repentance process, especially when this can help Church leaders encourage the repentance of those participants.

Disclosure of the identity of others who participated in a transgression may be *required* when it is necessary to restore or protect persons who have been or may be seriously injured as a result of the transgression. For example, a sexual transgressor who has been exposed or who has exposed others to a sexually transmitted disease must make the disclosures necessary to protect others. Predators may need to be identified to protect potential victims. A transgressor who holds or has held a prominent position of trust may need to be identified to Church leaders for the spiritual protection of members.

Investigation

A bishop interviews any member of his ward who is accused of a serious transgression. If the member denies an accusation that the bishop has reliable evidence to support, the bishop (or the stake president if he will preside over the disciplinary council) gathers further evidence that would confirm or disprove the accusation. The presiding officer may conduct the investigation himself, or he may assign two reliable Melchizedek Priesthood holders to do so. He instructs them not to use methods that are unbecoming to priesthood holders or that could result in legal action. For example, they must not use electronic surveillance devices, hidden cameras, or tape recorders. They also must not maintain a watch on a member's home.

Confidentiality

Bishops, stake presidents, and counselors in a stake presidency have a solemn duty to keep confidential all information that members give them in confessions and interviews. The same duty of confidentiality applies to all who take part in Church disciplinary councils. It includes what is said in the presentation of evidence and in deliberations. Confidential information must not be shared with anyone except authorized ecclesiastical leaders.

Information received in a member's confession cannot be used as evidence in a disciplinary council without the member's consent. When necessary, a bishop attempts to persuade the member to give this consent. He explains that refusal reflects a lack of contrition and repentance, preventing justice and mercy from operating fully for the good of the transgressor. If consent is not given, the bishop can still impose informal discipline on the basis of the confession. A lack of consent to use a confession in evidence does not prevent a disciplinary council from proceeding on the basis of other evidence.

If a bishop learns that a Church member outside his ward may have been involved in a serious transgression, he informs that member's bishop confidentially. When members of different wards transgress together, and when one has disclosed to his bishop the identity of the other transgressor, the bishop to whom the disclosure was made consults with the bishop of the other member.

If civil authorities challenge the confidentiality required of a clergyman, the priesthood leader who is challenged should seek legal advice from the Office of Legal Services at Church headquarters (telephone 1-801-240-6301 or 1-800-453-3860, extension 6301) or from local legal counsel in Church area offices.

Informal Church Discipline

A bishop or branch president normally administers informal Church discipline. His counselors do not participate, and no disciplinary council is held. Except for the most serious transgressions, informal discipline may be sufficient for genuinely repentant persons (especially those who have confessed voluntarily), first offenders, those who have not violated temple covenants by their transgression, and those with significant mitigating circumstances. (See D&C 42:25–26 and pages 103–4.)

Informal Church discipline includes (1) private counsel and caution and (2) informal probation.